

### REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

Claims 1-7 have been canceled in favor of new claims 8-14. Claim 8 recites features of original claim 1 with greater specificity and clarity. Support for the new claims is provided at least in the original claims and the specification on page 8, line 12, through page 9, line 23, and page 15, lines 9-19.

Claims 1 and 5-7 were rejected, under 35 USC §102(a), as being anticipated by the Applicants discussion of the related art. Claims 2-4 were rejected, under 35 USC §103(a), as being unpatentable over the Applicants discussion of the related art in view of Kong et al. (US 6,473,619). To the extent these rejections may be deemed applicable to new claims 8-14, the Applicants respectfully traverse based on the points set forth below.

It is submitted that the Applicants discussion of the related art fails to disclose the feature recited in claim 8 of discontinuing transmission of a second carrier frequency when communication interference exists in an adjacent first carrier frequency.

By contrast to the above-noted claimed feature, the Applicants discussion of the related art discloses a communication device that

discontinues transmission of a pilot channel carrier to prevent communication interference in the pilot channel during a communication distance measurement conducted between two other communication devices (see application page 1, lines 14-21). Also, the Applicants discussion of the related art specifically discloses that during the period the pilot carrier is discontinued a carrier adjacent to the pilot channel continues to be transmitted (see application page 5, lines 18-22). As a result, signal power from the adjacent carrier leaks into the spectrum for the pilot carrier and interferes with the communication distance measurement (see specification page 5, lines 22-23). Thus, the Applicants discussion of the related art does not disclose the claimed feature of discontinuing transmission of a second carrier frequency when communication interference exists in an adjacent first carrier frequency.

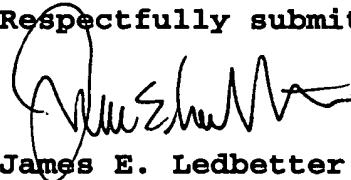
Accordingly, Applicants submit that the Applicants discussion of the related art does not anticipate the subject matter defined by new claim 8. Independent claim 14 similarly recites the above-mentioned feature distinguishing apparatus claim 8 from the Applicants discussion of the related art, but with respect to a method. Therefore, allowance of claims 8 and 14 and all claims dependent therefrom is warranted.

Kong was cited against dependent claims 2-4 for a teaching of synchronous power control of multiple carriers (see the Office Action, in the paragraph bridging pages 6 and 7). The Applicants respectfully submit that this proposed teaching does not supplement or cure the teachings of the Applicants discussion of the related art with regard to the above-described feature. Therefore, the subject matter defined by the new claims overcomes the obviousness rejections applied to original claims 2-4.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,



James E. Ledbetter  
Registration No. 28,732

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JEL/DWW/att

Attorney Docket No. L9289.04194  
STEVENS DAVIS, MILLER & MOSHER, L.L.P.  
1615 L Street, N.W., Suite 850  
P.O. Box 34387  
Washington, D.C. 20043-4387  
Telephone: (202) 785-0100  
Facsimile: (202) 408-5200